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7 ATTORNEYS FOR Defendants  
8 NIXON PEABODY, LLP and  
FORREST DAVID MILDNER

ATTORNEYS FOR Plaintiffs  
SOLARMORE MANAGEMENT  
SERVICES, INC., a California corporation

9 UNITED STATES DISTRICT COURT

10 EASTERN DISTRICT OF CALIFORNIA

11 SACRAMENTO DIVISION

12 SOLARMORE MANAGEMENT  
13 SERVICES, INC., a California corporation;  
14 CARL AND BARBARA JANSEN, a married  
couple,

15 Plaintiff,

16 v.

17 NIXON PEABODY, LLP, a New York limited  
liability partnership; FORREST DAVID  
18 MILDNER, a married individual,

19 Defendant.

20 Case No. 2:20-cv-02446-JAM-DB

21 **JOINT STIPULATION TO EXTEND  
TIME TO MEET AND CONFER AND  
FILE STATUS REPORT AND ORDER**

22 Date Transferred: 12/10/2020

23 Trial Date: Not yet set

## **STIPULATION OF THE PARTIES**

The parties, Plaintiffs Solarmore Management and Carl and Barbara Jansen (“Plaintiffs”) and Defendants Nixon Peabody and Forrest David Milder (“Defendants”), by and through their attorneys, hereby stipulate and agree as follows:

WHEREAS, removal of this matter from Los Angeles Superior Court to the Central District of California was effected on November 4, 2020;

WHEREAS, on November 20, 2020, Defendants filed their motion to transfer venue to the Eastern District of California pursuant to 28 U.S.C. § 1404 (*see* ECF No. 20);

WHEREAS, on December 8, 2020, Judge Christina A. Snyder in the Central District of California granted Defendants' non-opposed motion to transfer venue (*see* ECF No. 25);

WHEREAS, on December 10, 2020, the case was transferred to the Eastern District of California (*see* ECF No. 26);

WHEREAS, on December 17, 2020, the Court ordered that this action was related to thirteen other actions pending in the Eastern District and assigned this action to Judge John A. Mendez (*see* ECF No. 30);

WHEREAS, Plaintiffs' current counsel will be withdrawing and Plaintiffs plan to substitute new counsel in January or February of 2021;

WHEREAS, the Court has vacated all upcoming deadlines for this action, including the deadline for Defendants' answer or responsive pleading, which was previously set for February 8, 2021;

WHEREAS, the Court's December 17, 2020 Order Requiring Service of Process and Joint Status Report (ECF No. 31) would require the parties to meet and confer and submit a joint status report on or before January 4, 2020 pursuant to Rule 26(f) (i.e., "within sixty (60) days . . . from the date of removal");

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned parties through their respective counsel, and subject to the approval of the Court, that the deadline for the Fed. R. Civ. P. 26(f) conference and the subsequent status report be extended to 120 days from the entry of the Court's order granting this stipulation or 30 days after the Court rules on the

1 Defendants' Motion to Dismiss, whichever occurs sooner.

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3 Dated: December 22, 2020

KEKER, VAN NEST & PETERS LLP

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5 By: /s/ Eric H. MacMichael  
6 ELLIOT R. PETERS  
ERIC H. MACMICHAEL  
BAILEY W. HEAPS

7 Attorneys for Defendants  
8 NIXON PEABODY, LLP and  
FORREST DAVID MILDEN  
9

10 Dated: December 22, 2020

KING, HOLMES, PATERNO &  
SORIANO, LLP

11  
12 By: /s/ John Snow  
13 (as authorized by email on 12/22/20)  
HOWARD KING  
JOHN SNOW

14 Attorneys for Plaintiffs  
15 SOLARMORE MANAGEMENT  
16 SERVICES, INC., A CALIFORNIA  
CORPORATION  
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## ORDER

Based upon the stipulation of the Parties, the moving papers, and for good cause shown, the Court extends the deadline for the Fed. R. Civ. P. 26(f) conference and the subsequent status report to 120 days from the entry of this order or 30 days after the Court rules on the Defendants' Motion to Dismiss, whichever occurs sooner.

## **IT IS SO ORDERED.**

DATED: December 22, 2020

/s/ John A. Mendez

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THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE